

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: BENNETT AVRAM HEYMAN
SARA NICOLE HEYMAN AKA: SARA
KRAUS

CHAPTER 13

Debtor(s)
CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

CASE NO: 5-20-02612-HWV

vs.
BENNETT AVRAM HEYMAN
SARA NICOLE HEYMAN AKA: SARA
KRAUS

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on March 29, 2021, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. An Amended Plan was filed on November 30, 2020.
2. An Order was entered on March 23, 2021 denying confirmation of the amended plan.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

s/ Agatha R. McHale, Esq.

Id: 47613

Attorney for Trustee
Charles J. DeHart, III
Standing Chapter 13 Trustee
Ste. A, 8125 Adams Drive
Hummelstown, PA 17036
Ph. 717-566-6097
Fax. 717-566-8313
eMail: amchale@pamd13trustee.com

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: BENNETT AVRAM HEYMAN
SARA NICOLE HEYMAN
AKA: SARA KRAUS

CHAPTER 13

Debtor(s)

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE
Movant

CASE NO: 5-20-02612-HWV

NOTICE

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court
Max Rosenn U.S. Courthouse
Courtroom #2
197 S. Main Street
Wilkes Barre, PA

Date: May 5, 2021

Time: 09:30 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: March 29, 2021

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: BENNETT AVRAM HEYMAN
SARA NICOLE HEYMAN AKA: SARA KRAUS

Debtor(s)

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE

CHAPTER 13

Movant

BENNETT AVRAM HEYMAN
SARA NICOLE HEYMAN AKA: SARA
KRAUS

CASE NO: 5-20-02612-HWV

Respondent(s)

CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on March 29, 2021, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1st Class mail, unless served electronically.

STEPHEN J PALOPOLI, III, ESQ
1125 S CEDAR CREST
SUITE 205
ALLENTOWN, PA 18103-

Served electronically

United States Trustee
228 Walnut Street
Suite 1190
Harrisburg, PA 17101

Served electronically

BENNETT AVRAM HEYMAN
147 JAMESTOWN STREET
LEHIGHTON, PA 18235-1449

Served by 1st Class Mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: March 29, 2021

Respectfully,
Vickie Williams
for Charles J. DeHart, III, Trustee
Suite A, 8125 Adams Dr.
Hummelstown, PA 17036
Phone: (717) 566-6097
eMail: dehartstaff@pamd13trustee.com

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: BENNETT AVRAM HEYMAN
SARA NICOLE HEYMAN
AKA: SARA KRAUS

Debtor(s)
CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE

CHAPTER 13

Movant
BENNETT AVRAM HEYMAN
SARA NICOLE HEYMAN
AKA: SARA KRAUS

CASE NO: 5-20-02612-HWV

Respondent(s)

ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.